

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

v.

MARTIN EVERS,

Defendant.

3:19-CR-250
(JUDGE MARIANI)

FILED
SCRANTON

NOV 10 2022

PER

DEPUTY CLERK

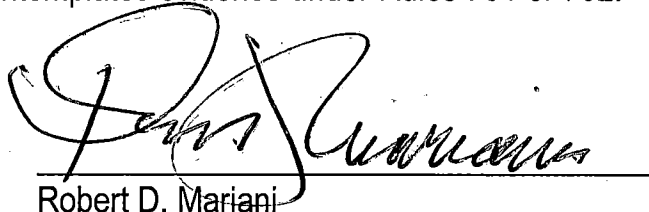
ORDER

AND NOW, THIS 10th DAY OF NOVEMBER 2022, upon consideration of the

parties' assertions at the Pretrial Conference and in subsequent briefing regarding the need for a Daubert hearing related to the proposed testimony of Walmart pharmacists at trial (see Doc. 248), should Defendant ask at trial for a Daubert Hearing as to any witness, **IT IS**

HEREBY ORDERED THAT:

1. The Government, outside the presence of the jury, shall provide a detailed statement as to the testimony of the witness by way of an offer of proof;
2. The Court will then hear the respective arguments of counsel as to whether the offer of proof reasonably may be understood as an intention on the part of the Government to elicit expert testimony;
3. The Court will then rule on whether a Daubert Hearing is necessary and, in that connection, whether the offer contemplates evidence under Rules 701 or 702.



Robert D. Mariani
United States District Judge